

Special Commissioner of Investigation for
the New York City School District



Annual Report 2018

About SCI

The office of the Special Commissioner of Investigation for the New York City School District (“SCI”) was created in 1990 by Mayoral Executive Order and Board of Education Resolution to conduct investigations and oversight of the largest public school district in the United States.

With approximately 60 full-time investigators, attorneys, and administrative staff, the SCI commissioner has broad authority to conduct investigations, reviews, and audits with the goal of rooting out corruption, preventing waste and fraud, identifying and eliminating the misuse of City resources, and improving the processes and functions of the public education system that serves approximately 1.1 million school children in New York City.

SCI also serves as the inspector general for two of the City’s largest employee pension systems: the Teachers Retirement System and the Board of Education Retirement System. Additionally, SCI serves as the investigative arm of the New York City Conflicts of Interest Board regarding violations of Chapter 68 of the City Charter by Department of Education employees.

The Special Commissioner of Investigation for the New York City School District

Introduction:

For the employees of the office of the Special Commissioner of Investigation for the New York City School District (“SCI”), 2018 was a tumultuous year which presented an existential challenge to SCI not seen in the office’s nearly 30-year history. However, by year’s end, SCI emerged from an unauthorized takeover of its operations by the then Commissioner of the New York City Department of Investigation (“DOI”), Mark Peters, and his executive staff. After a lengthy and detailed investigation by a specially appointed DOI deputy commissioner, it was determined that SCI was a separate investigative agency, “one made independent by law and custom.”¹

The Special Commissioner and Her Staff:

With the appointment of Anastasia Coleman in 2018, SCI welcomed only its third commissioner since being established in 1990. Commissioner Coleman comes to SCI with a vast and diverse skill set having previously served as a prosecutor, an inspector general, and the Director of the Office of Institutional Equity & Compliance at Fordham University.

Commissioner Coleman is assisted by her executive staff that includes First Deputy Commissioner Daniel Schlachet and Deputy Commissioner Gerald P. Conroy, both attorneys with many years of experience at SCI and previous prosecutorial backgrounds. Michael Bisogna, Chief Investigator of SCI is also an experienced veteran of the office after a distinguished career with the New York City Police Department. SCI is comprised of attorneys, investigators, and administrative staff. Many of the investigators served as detectives with the New York City Police Department and other investigative agencies prior to joining SCI.

Statistical Report for Calendar Year 2018:

Overall, SCI received a total of 8,930 complaints in 2018.² Of those complaints, 6,175 were referred to other agencies or authorities. SCI opened investigations into

¹ James G. McGovern, Report of Acting Deputy Commissioner of Investigation Concerning Whistleblower Allegations, October 10, 2018, at pg. 143. <http://nycsci.org/wp-content/uploads/2018/Reports/McGovernPetersDOIReport.101018.pdf>

² Includes complaints received by SCI for which no action was taken.

502 complaints, and completed 418 investigations opened in 2018, and earlier years, while monitoring the outcome of an additional 136 cases previously referred.³

Among the investigations opened by SCI in 2018, 170 involved some element of inappropriate contact or sexual misconduct by DOE personnel. Sexual misconduct allegations broadly include criminal sexual acts, inappropriate relationships with students whether or not they had reached the age of consent, physical and verbal harassment of a sexual nature, or inappropriate cell phone and social media contact with students. SCI substantiated 23 complaints that involved some element of sexually inappropriate conduct during 2018.

In 2018, fewer complaints regarding the DOE's Universal Pre-Kingergarten Program ("Pre-K") were retained and investigated by SCI in an effort to better focus resources on more serious allegations of wrongdoing affecting the Pre-K population.⁴ Still, SCI substantiated investigations against 11 subjects that involved Pre-K students ranging from inappropriate contact to employees' failure to supervise students.

SCI's overall statistics for 2018 are an anomaly, and are easily recognizable as the result of the disruption of normal operations as described above. As shown below, during 2018, SCI opened and completed fewer investigations than in recent years.

SCI COMPLAINTS BY CALENDAR YEAR

<u>Year</u>	<u>Number of Complaints Received</u>	<u>Number of Cases Opened</u>	<u>Number of Cases Completed</u>
2014	5287	784	741
2015	5566	898	885
2016	6336	772	845
2017	6277	739	691
2018	6813	502	418

Under the direction of Commissioner Coleman, SCI has already posted significant gains in 2019. During the first quarter of this year, SCI has received 1997 complaints, opened 101 investigations, and completed 153 investigations. SCI has investigated and substantiated 47 allegations involving 51 individual subjects, and has

³ Monitored cases involve misconduct allegations made against DOE employees or vendors that were originally referred to another agency, such as the New York City Police Department or the DOE's Office of Special Investigations.

⁴ Complaints received by SCI regarding allegations that involve Pre-K students or programs may be referred to the DOE Office of Special Investigations, the New York City Administration for Children's Services, or the New York City Department of Health, where appropriate, and depending on the severity and nature of the allegation.

recommended termination or disciplinary action in approximately 30 of those matters. In addition, SCI has effected more arrests so far in 2019, than during the entire previous year.

SCI Looking Forward:

With her appointment as the new head of SCI, Commissioner Coleman intends to carry on the great work done by SCI in the past while reinvigorating the office with additional staff, updated technology, and a broader range of investigations and oversight.

In addition to evaluating and investigating complaints received by SCI, Commissioner Coleman has initiated a series of pro-active investigations and reviews aimed at identifying and improving necessary operations at the DOE to ensure that vendors and DOE employees are honestly using funds for their intended purpose. SCI's goal is to ensure students receive an education in a safe and well-managed environment, with proper tools and support.

Conclusion:

The purpose of this report was to outline the structure of SCI, what the office accomplished in 2018, and our goals moving forward. This was a difficult, but ultimately rewarding year for SCI, and Commissioner Coleman looks forward to assisting and strengthening the New York City School District in 2019, and for many years to come.